

## INTERVIEW WITH MERCEDES EICHOLZ (DOUGLAS)

Former wife of Justice William O. Douglas

United States Supreme Court

Recorded telephone interview by Roger Kaye, June 15, 2004 Fairbanks, Alaska

MR. KAYE: The subject of this interview is the visit of Ms. Eicholz and her husband Justice Douglas to the Murie's Sheenjek Expedition camp in 1956. Mercedes I want to thank you for offering to talk to me today. And I'd like to ask you to start with a brief biographical sketch; where you were born, where you grew up, and how you came to be interested in the outdoors.

MS. EICHOLZ: I was born and raised in Louisiana, in an agricultural environment. My father was an agriculturalist, and he was manager of a large cotton plantation on the Mississippi River. The outdoors was my life. Also, during the period I was around ten, my mother had a great friend who had about 40 acres of native forest in her possession. She did many books on the flora of Louisiana. My mother got her to start a camp. Eight of us went and spent a month with this lady in this native forest. We walked through and learned the sounds, what to watch for; "leaves of three-leave them be!" That was a most important memory about poisonous plants. Maybe that interested me in really wildlife. Although growing up on the Mississippi, the horse was my main interest because I learned to ride as a child. I was an avid horseback rider. I rode along the levees of the Mississippi River and through the cotton fields. I did that until I went to college. Country girls liked the wilderness more than city girls. I think that's just natural because you come from the land and the land is very important. We lived through floods and pestilence. We lived through the Bow Weevil and through all of that. I rode a school bus to school until I went to college. I went to college in southwest Louisiana in the Acadian country there are lots of swamps and marshes, which I loved to go into. However, I am not sure, well my first husband was the head of the Bonneville Power Administration and the Assistant Secretary of the Interior. He had the National Parks under his jurisdiction, along with the Indians and a few islands and territories.

MR. KAYE: What was his name?

MS. EICHOLZ: C. Gerard Davidson.

MR. KAYE: I see, okay.

MS. EICHOLZ: We did a lot of going to the Parks. Not to the Forest Service materials so much. Then later on, when I got involved with Douglas, I think one of his attractions to me was my ability with horses. He was a lousy horseman. That is a figment of people's imagination. They thought he was great. He did ride and we had horses and we did all of these things together. He got me to proofread his second book,

*Strange Lands and Friendly People*. Before that, I had read *Of Men and Mountains* and it's very indicative of his need of the mountains. He gives a lot of credit to his long hikes in the cascades to cure his weak leg. He had the stamina and everything else put together, on his feet. I always feel that his obsession with wilderness goes back to his childhood; growing up at Yakima and being in the Cascades all of the time. He always said, "You're quite a little horsewoman!" Well, I was! I wasn't a fancy horsewoman. I was a western rider. But the mutual love of these places was a mutual thing with us.

On the C&O Canal, when I first came back to Washington after I divorced and before we married, he was going up into the Appalachians for long distances to hike. I told him there was a wonderful hike right outside his doorstep; the C&O Canal. I took him down to the Canal and he became obsessed with saving it when he read the editorial in the paper about the Park Service proposing to pave it over to make a scenic highway up the Potomac. He wrote a letter challenging the editor who had written the article saying, 'I would like you to come with me and walk this distance, and learn the beauties of this kind of an experience.' They all got blisters. They hiked from Cumberland [Maryland] to Georgetown [Washington, D.C]. I've forgotten how many days it took. They camped out along the way. But when Marlowe Cusey and Bob Esterbrook got back to Washington, they retracted their statements and said that, 'Yes, we must save this as a hiking path.' They have reunion hikes every year. They had one this year. A friend of mine's daughter was on it and wrote me about it. I think that was his first experience with saving something. This was in 1954, in the spring. I think that that's when he coined the expression, "a Ghandian Hike". It was great expression to use. He did it a peaceful way; showing people what was good. He did the Ghandian Hike down the Olympic Peninsula coastland, to save the state from putting a highway along that coast. That was a hard walk. He had to go up and down, and down into low tides and back again. But we did it, and when we came out at the end, the press was there of course. That was the beauty of someone like him, being on the Supreme Court; he could get attention. The press met him, and he saved that one!

In the course of all of this the Wilderness Society, the Sierra Club, the Wildlife Federation and everybody got in on it. They all went on these treks with him. He and Olaus [Murie] became great friends and admirers of each other.

MR. KAYE: Did they meet on the C&O Canal hike?

MS. EICHOLZ: I don't think so. I am not sure how he met Olaus. That I can't tell you.

MR. KAYE: But they did hike together on the whole route?

MS. EICHOLZ: I don't know whether Olaus went on the C&O or not. He certainly went on the Pacific hike. I guess Olaus had told him that he was doing this. He was tracking animal tracks, you know. He went up there to make all of these little molds of all

of the animals. I think it was the Carnegie Foundation that funded this. But nevertheless, he invited us to come up. We flew in from Fort Yukon.

MR. KAYE: This is up to the Arctic Refuge then?

MS. EICHOLZ: Yes, to what became the Arctic Refuge.

MR. KAYE: Was the invitation to Douglas to come up to Sheenjek related to the fact that Olaus went on the C&O walk with him?

MS. EICHOLZ: I don't think Olaus went on the Canal.

MR. KAYE: Yeah, he walked the whole thing.

MS. EICHOLZ: He did? Well that's where it started then. Maybe not where it started, because Bill was very involved with all of the anything relating to John Muir and wilderness.

MR. KAYE: I see, so they probably knew each other before the C&O.

MS. EICHOLZ: Next to Civil Liberties in the Constitution, he was, I think, more deeply devoted to this aspect of his life. It all came out of wherever he met these people. I know that the trip on the John Muir Trail in the Sierras came out of his association with Brower, who was in charge of the Sierra Club at the time. I know on that trip we were to go. It was hiking with pack string. I asked David, "As long as the packer is bringing string, can they bring a couple of horses!" Bill was having a lot of trouble with Bursitis. He was in great pain. He did, and I rode a horse all of the way. I am not a lover of being on my feet. In the course of all of this hike, somebody was always using the other horse. Finally, they convinced Bill to get on the horse. It was towards the last day because he was suffering. That came out of all of his relationships with all of these people who were trying to save the west; whether it would be...well, in that book, *My Wilderness*, that he talks about the Forest Service and their cutting down of trees along the Cascade Trail. We used to drive along there and he'd say, "Look at what those bunnies are doing!" He always called them "bunnies". "They are reforesting, but look at what it looks like!" It wasn't natural at all. His other crusade was that every member who retired from the Forest Service ended up with a job in the lumber companies! It was sort of an inside operation. The question was always in his mind as to whether Gifford Pinchot created the Forest Service separate from Interior in terms of our great outdoors and whether that was a good idea, or not. I think maybe Teddy Roosevelt and his group wondered too, but nevertheless it happened. The other thing that changed was the kind of forestry. We went through the period of when you never burned the underbrush, so when you had a forest fire, it had all of this kindling underneath it. Now, I think they are beginning to burn underbrush again. I'm not sure.

MR. KAYE: Let me ask you about going to the Arctic Refuge again. How was it that you and Justice Douglas came up to visit the Muries?

MS. EICHOLZ: Because they asked us, and he was fascinated with it. I don't know whether Olaus thought that this would get the idea started or not. I am not sure what was in Olaus' mind. But they had been involved in all of these other things. It was a natural. And we had a good time despite the mosquitoes and everything else. I remember that George Schaller was always getting field mice in the cook tent. I told him, "George, please quit doing that when I am around!" I hated seeing those field mouse skins! But that was for scientific purposes. Krear was always off photographing. He had to throw his camera at a bear once. I remember that. We fished through the ice. It was great! I brought back out of that two of those little ground azaleas. We dug them out of the permafrost and bagged them. I planted them in our garden in Georgetown and they lived until one year when there was a hot, dry summer. Somebody hadn't watered them, so they died. They would have survived. They are like those little dwarf Japanese azaleas. We were always bringing back plant material when we traveled. In Asia he collected rose hips, he pressed plants and we would bring back roots of things, which would pass through. The Embassies of each country would send them in a diplomatic pouch. It went straight to the Department of Agriculture out at Beltsville. It was just a natural affinity. For his part, I think those were his greatest loves, and he did that.

MR. KAYE: What was your impression of the country, the Sheenjek?

MS. EICHOLZ: I was fascinated with it; the terrain, the [muskegs?] having to balance yourself when you walked around. To see the Caribou migrate was absolutely mesmerizing. I never saw a bear. I don't think we ever saw a Grizzly. I think it was a black bear that Bob Krear fought off.

MR. KAYE: Yeah, he had a couple of encounters with bears. They were grizzlies.

MR. EICHOLZ: Where is he now?

MR. KAYE: He's in Colorado. I talk to him once in a while. He is distributing some of his history stuff related to that to the National Conservation Training Center, and archiving it. I just received about thirty pictures from that period from him. I am making copies of them. He's around.

MS. EICHOLZ: I entertained George [Schaller] when he came in to Washington for something long after. It was some project he did; I think it was the Year of the Gorilla.

MR. KAYE: The Mountain Gorilla, it was called.

MS. EICHOLZ: I don't know what's happened to George either.

MR. KAYE: He's still running around the country. I'm in contact with him sometimes. He's in Asia mostly.

MS. EICHOLZ: I can tell you somebody we were in contact with when we got there was Sally Karriger. She came to Fairbanks and we had quite a nice time with her. Her book is fascinating.

MR. KAYE: Tell me about her. She was very much involved and interested. She testified on the Arctic Refuge.

MS. EICHOLZ: I don't know what's happened to her. I kept the book. I have her book. I enjoyed our visits with her, and I guess I was impressed with her a little after that. She was a real dedicated Alaskan.

MR. KAYE: At the Sheenjek, what did you talk about in terms of the Arctic Refuge? Do you recall Justice Douglas talking strategy with Olaus and Mardy at all?

MS. EICHOLZ: No, that's a piece of my memory that I don't have. I can't be helpful. And I don't know if they talked strategy. And Mardy is gone, and it's too bad we can't do anything there.

MR. KAYE: Well, I'm asking you to go back half a century almost! Certainly, I can't expect you to remember everything! What was your impression of Olaus and Mardy?

MS. EICHOLZ: They were very soft, gentle people and very dedicated. Mardy particularly, I admired. She was raised in Alaska, or came from there originally. She was just a lovely, handsome woman. But, you know, it's one of those pairs of people who come through your life and you never forget them. The impressions were great, that's all I can say!

MR. KAYE: George Collins came by when you were up there didn't he? He was with the Park Service. Do you remember if he stopped by when you were up there?

MS. EICHOLZ: I think so, but I don't remember him at all. I just remember there was a mistake in Douglas' chapter when he said, 'what's his name came to take us out'. It was a pilot who took us in there. I went through that, and I discovered that who ever that bush pilot was had a little Oronka, single motor. I wasn't scared of the Oronka, but it bumped like crazy. When we went in from Fort Yukon, we had a cake that we had to take in for somebody's birthday. I can't remember who it was. I was holding on my lap the cake and a frozen fish; a great big fish to bake. I got so sick, I filled up every bag! When we landed I said, "I'm not going to ever go back! I'm going to stay here!" Ed

Wheeny came in, in his two motored Beechcraft to take me out of there. I don't know how Bill goofed on that chapter, but it's not a serious goof.

MR. KAYE: In that chapter, he speaks in almost spiritual terms about the Arctic Refuge. I am wondering if that is related to the fact that just a couple of years before he had done that long trip in the Himalayas. I forget, but he walked a couple of hundred miles and stayed at a Buddhist Monastery. Was he more oriented toward eastern religions and spiritually of eastern religions at that time in his life?

MS. EICHOLZ: I don't think so. I just think that from the time he was a child, the mountains were his god. His father was a Presbyterian minister. He proclaimed to be a Presbyterian. He went to the Church once a year at Easter. He gave them money, not much, but he paid his dues to the Church. Maybe Buddhism did strike him. To me it's the most serene of all religions. I am an Agnostic myself. But if I were to be anything, I would be a Buddhist. I did, at Bill's request join the national Presbyterian Church with my tongue in my cheek. I did it because of him. But then, when our marriage got into trouble...you know, the minister is supposed to come and console you? Well, nobody was going to console Bill's wife when it was Bill's doing. I never heard from them. Then they started hounding me for money. I finally said, 'I'm just very sorry. You never played the role you were supposed to for me. I am now married to another man, please take me off of the list.' They said that they had to put me on 'probation'. I said do that, do anything, just get me off of this list! Of course that doesn't relate to any of this. It relates to religion. And as I say; Bill, I think because of his father, stayed a Presbyterian but it was a token thing. It could be that the Buddhism had something to do with it. He was in India a lot also, with a lot of Hindus. His guide across the Himalayas was a Hindu. He was a man who had gone to Columbia named Raoul. He came from a little village in India, but had gone to Columbia University. I don't know how Bill lined him up, but they had a great bit of companionship together.

MR. KAYE: Bill talked quite a bit about wolf hunting, and his disdain of the aerial wolf hunting going on in the Arctic Refuge. Do you remember that going on, or being discussed?

MS. EICHOLZ: I think maybe he and Olaus talked about it. He disdained anybody that would shoot from a plane. If you were going to hunt, you hunted on the ground.

MR. KAYE: Did Justice Douglas hunt in his earlier years?

MS. EICHOLZ: I don't know if he did growing up. But I know that when he went to Iran he went with the Kashdar tribes and went Gazelle hunting. He came home with several Gazelle horns. He did kill, but he did it from, I think, the back of a horse that was running. He did have a couple of Elk horns too.

MR. KAYE: Was Justice Douglas friends with Howard Zanhiser?

MS. EICHOLZ: Yes, very much.

MR. KAYE: I wonder if Howard might have influenced the way Douglas thought, or if maybe there was a mutual interaction. They spoke about wilderness is very similar terms, it seems.

MS. EICHOLZ: You know what? These men who he associated with and admired and revered, but I don't think anything influenced Bill's thinking on this. I think he was just a born lover of nature, no matter where it was. As I say, no matter where he went he collected specimen of the flora. He carried a plant press with him. All of those things are in the Smithsonian now. His pressed plants from Iran are there. I can't remember what else, but I remember when he gave them. He gave a lot of his collection.

MR. KAYE: I know that he was politically well connected. In 1960, it was doubtful whether the Arctic Refuge would be established because it was very controversial. I am wondering if you think that if perhaps Douglas had connections in the Eisenhower administration he may have made some contacts to influence?

MS. EICHOLZ: I think that possibly he did. But as I say, if they were oral contacts there is no record. But if there were written contacts, his papers are all at the Library of Congress. You could go to the Manuscript Division and dig them out.

MR. KAYE: Would he have been likely to call the Secretary of the Interior Setton or someone like that?

MS. EICHOLZ: Oh, no question! He would be likely! From the time I knew him, it started with Ickes. He had Fortis there as the Under Secretary. And there was 'Cap' Krugg; that's when my first husband was involved. But he would have called any of them! I know that whenever he went abroad for the summer, he would always go see the President, no matter who it was. He would say he was taking a trip, and ask if he could do anything for them. There are a lot of funny stories around that because somebody asked him...I don't know what Eisenhower asked him to come back with, but I remember Truman asked him to find out if Nehru was a real Communist! When he got back he went to see him and he said, "Well, I have a report. I want to tell you Mr. President that Prime Minister Nehru is as much of a democrat as you are!" This isn't relative to the wilderness, but he brought another message back during the Korean War. He met some Chinese in Hong Kong. They told him to tell the President that if the U.S. crosses the Parallel, they would go in. And they did of course. Oh, who was it, the man that Truman finally fired? Oh, Macarthur, that bull-headed man!

He did do a lot of trekking in Malaya. Have you got *West From Malaya*? That's a book he did on Southeast Asia. You might get that.

MR. KAYE: I've read *Of Men and Mountains*.

MS. EICHOLZ: *North From Malaya* is a book of his treks in Southeast Asia. He didn't do that much walking. And I don't know that he did anything in Australia in the way of walking. But he walked everywhere he could.

MR. KAYE: Let me ask you about naming places. Bob Krear recalled a campfire discussion in which Justice Douglas and Murie and himself and probably you and others were talking about a name for the Arctic Refuge. He remembers that Douglas really didn't like the idea of naming places. Do you remember what his thoughts were on that?

MS. EICHOLZ: I don't remember that conversation, but I was there. It was only Bob Krear, the Muries and me and George Schaller. I do know that he didn't think things should be named for people.

MR. KAYE: Why would that be?

MS. EICHOLZ: Maybe he feels that you couldn't get the right name for the right place. I don't know why that would be. He was a very modest man!

MR. KAYE: That's the questions that I had. I really appreciate this time spent with you. Is there anything that you'd like to add for the record?

MS. EICHOLZ: I tell you what; you haven't sent me your address or anything...

MR. KAYE: I will.

MS. EICHOLZ: Send me that. Send it to 1940 Mission Ridge Road Santa Barbara, CA 93103. I have an email too. I am working with the Biographer who is doing the definitive story on Douglas, David Danowski. I'll ask him if there is anything, or if he would mind your calling him. He's going to be on the move pretty soon because he is coming to the west coast to get some more things from Charles Reich. Charles Reich was Hugo Black's law clerk. Reich helped on the Rosenberg thing because one clerk couldn't do all of it. They started hiking together and he lived in the apartment house next to the one we were in. They would do a hike every Sunday. My son didn't go every Sunday. But sometimes he would go because Charlie was his friend. Charles Reich is a goldmine of information about Douglas' feelings about this because he was on the original C&O hike with him and continued. We moved to a house above the Canal and Charles would come over and they'd take the dog and go straight down to the towpath and walk. I'd go up north and pick them up so they didn't have to walk back. Charles is a source of



information about his love of saving things. Charles Reich is, and he's hard to communicate with because he's been ill. Sometimes he answers, and he sometimes doesn't. I'll call him and tell him that you may be contacting him. It's Reich. He's at 1977 Broadway, San Francisco, CA 94133. His phone is 415- 771- 3653.

MR. KAYE: That would be great!

MS. EICHOLZ: He leaves pretty soon to go where he spends the summer with his brother. Don't you know that book, *The Greening of America* ?

MR. KAYE: Oh, yes! Okay, it's that Reich! I didn't know there was a connection there.

MS. EICHOLZ: That's him! When he left Washington, he left the Law practice. He went to Yale to teach and he was a born teacher. When he leaves at the end of the month, his address will be P. O. Box 56, Long Lake, NY 12847. That phone number is 518-624-5182. Danowski has posed to him a very difficult question, which I can see. Charles says he doesn't quite know what to do about it. It has nothing to do with wilderness but I'll tell you if you have an interest.

MR. KAYE: Okay.

MS. EICHOLZ: [Reading letter from Reich] "David Danowski is meeting me here on June 25<sup>th</sup> and I'll be going to my summer place on the following Tuesday. I have just received a letter from David with 37 characterizations of Bill's personality that he has gleaned from friends and foes. My job is to comment on each word he lists as to whether it applies. Some are easy such as independent. Some are thought provoking, such as insecure. Some are wrong in my opinion, such as self-sufficient. He certainly depended on you in many ways that were obvious. Some of the most important words I would use are not included at all, so I'll try to provide a better picture. For example, loyal to friends, comes to mind, in his concern for former clerks. Apparently, no one used the word visionary, which is one of the first things I think of. Describing Bill's mind is even more challenging than describing his personality." David asked him, 'in what ways was his mind unusual?' He answers, 'I'll try my best to answer. I think a really fine book is in the making. Now, I have more. What was Bill's personality like, and what was so special about his mind? On the first, I am always amazed at how farsighted he was and how interesting he could be on so many subjects. His mind was unique in my experience. Hugo Black always said that Bill was a genius. Of course, that's what I say too. My difficult task is to try to explain what unique means as applied to Bill."

Charles will be a great one because as I said, he did a lot of hiking with Bill. I am not so sure, no; I don't think Charles was on the Olympic Coast hike with us. Elon Gilbert was, but not Charles. If I think of something, I'll send it to you.

MR. KAYE: Well I'd sure be grateful for that. What I will do is to send you a release form for this interview. Just a description of it. It will be archived at the University of Alaska. I'll send that off to you. I'll include my address. Anything you may think of let me know.

MS. EICHOLZ: I've got to edit my oral history. And there may be something that comes out of that. The other thing I have to do is that I've got more papers here and articles on Douglas that I have to send to the Library of Congress. I've sent all of his letters to me. There were so many that I am sure there will be something. But they can't be opened until his daughter and I are dead.

MR. KAYE: I sure do appreciate your time today!

MS. EICHOLZ: Well, I hope it was helpful. All I know is that he was born in a little town in Minnesota. That wasn't wilderness, it was country. But from the time they moved to Washington State, where his father died in the Horse Heaven Hills, which are north of the Columbia River and east of Yakima, it's the most beautiful country in the world, he was a mountain man!

MR. KAYE: Can I ask what year you were born?

MS. EICHOLZ: 1917! I am happy to say! I'll be 87 this year, and still kicking!

MR. KAYE: I can tell that!

MS. EICHOLZ: My father lived to be almost 100, and he always said to me, "Don't stop using your mind. Don't stop doing things." I have been President of our Museum Board here for three years. I'm no longer the President, but I'm still on the Board. And I'm still just as active as ever in that and in the music here. I'm out of the wilderness now. I'm sorry I am. I'd rather be out at my ranch in the San Anz Valley, but when I couldn't get the blade off of my bush hog, that's a great big mower that the tractor pulls, I mowed all the pastures and fertilized them all, and did all of these activities. My strength began to give out and I decided I'd better move to town! So here I am stuck in not too big a city, but stuck. If you don't start moving again, you don't leave where your friends are. That's the greatest mistake. And you don't go into a retirement home where there are nothing but old people. You have to keep young friends! So I'd like to meet you some day.

MR. KAYE: I'm going to try to get down there some time.

MS. EICHOLZ: And I told you to look up Molly Cooper. She's at the University in Fairbanks. It's Anthropology, or Indians. It's has to do with the Eskimos. She's a great lover of Eskimos.

MR. KAYE: I will look her up. And I hope to get down to Santa Barbara again. I was down there earlier visiting with Rob Nash, who writes about wilderness. So if I can get down there again, I'll look you up!

MS. EICHOLZ: Let me know!

MR. KAYE: Thanks so much for this!

MS. EICHOLZ: Okay, see you!

MR. KAYE: Bye-bye.